APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,457	02/20/2001	Laurent Gavoille	19251	5028

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LAWRENCE E. LAUBSCHER, SR.
LAUBSCHER LAW OFFICES
1160 SPA ROAD
SUITE 2B
ANNAPOLIS, MD 21403

EXAMINER
CHANKONG, DOHM

ART UNIT	PAPER NUMBER
2152	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/785,457	GAVOILLE, LAURENT
	Examiner	**Art Unit**
	Dohm Chankong	2152

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 July 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-5</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-5</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

    1.☒ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1>   Applicant's amendment and remarks have been received and reviewed. Claims 1-5 are

presented for examination.

Response to Arguments

2>   Applicant's arguments, see pages 4-6, filed 7.22.2004, with respect to the rejection of

claim 1 under 35 U.S.C § 102(e) have been fully considered and are persuasive. Therefore, the

rejection has been withdrawn. However, upon further consideration, a new ground(s) of

rejection is made in view of newly found prior art detailed below.

3>   Applicant's arguments with respect claim 2 and claim 3, filed 7.22.2004 have been fully

considered but they are not persuasive. Applicant is arguing in substance: (a) with respect to

claim 2, Applicant asserts that the group identifier is not included in the message request that

is transmitted from the terminal; and (b) that the Cafferelli patent is not in the same field of

invention as the current application. Examiner respectfully disagrees.

     In regards to (a), Applicant is directed to [column 18 «lines 57-62»], where Matsubara

clearly discloses that both the identifier and the group operation attribute is transmitted by

the terminal.

     In regards to (b), the use of the Cafferelli patent was relied upon only to teach the use

of a packet (message) that includes a field that directs the terminal to construct a directory

[Figure 8]. As packets are well known in the art , one of ordinary skill in the art would be

able to reasonably infer that the use of Cafferelli's packet structure would be applicable to a

wide variety of computer networks, whether it be Cafferelli's file directory service to store

information about a compact disc or the Applicant's directory construction to store

information about terminals.

Claim Rejections - 35 USC § 103

4>   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
> are such that the subject matter as a whole would have been obvious at the time the invention was made to a
> person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

5>   Claims 1, 2 and 5 are rejected under 35 U.S.C § 103(a) as being unpatentable over

Matsubara et al, U.S Patent No. 6.335.812 ["Matsubara"], in view of Matsuzaki, U.S Patent

No. 4.998.248.

6>   As to claim 1, Matsubara teaches a method of constructing directories in terminals

connected by a local area network, said method including the following steps:

broadcasting a message from a given terminal in the network, the broadcast message

containing at least an address of said given terminal (column 6, line 62 to column 7, line 9

and lines 58-65 and column 24, lines 30-41);

in at least one other terminal, decoding said broadcast message, extracting from it a

name and an address of said given terminal and transmitting a response message containing

the address of said given terminal as a receiver address and at least a name and an address of

said other terminal extracted from said broadcast message (column 8, lines 19 to column 10,

line 19 and column 24, lines 21-54); and

decoding said response message in said given terminal, extracting said name and said

address of said other terminal from the decoded response message, and inserting the

extracted name and address in mapping relationship into a directory of said given terminal

(column 10, line 20 to column 12, line 20 and column 24, lines 21-54).

Matsubara does not explicitly disclose including both an name and an address in the

broadcast message. Also, while Matsubara does disclose creating a mapping relationship

between a group name and address of a terminal, he does not explicitly disclose creating a

mapping relationship between the name and address in a directory.

7>   Matsuzaki discloses including both a name and an address in a broadcast message

[column 4 «lines 41-46» | column 4 «line 65» to column 5 «line 3»] and creating a mapping

relationship between the name and address in a directory [Figure 2 «item 32a» | column 3

«line 62» to column 4 «line 10» | column 4 «lines 41-46»]. It would have been obvious to one

of ordinary skill in the art to implement Matsubara's broadcast message and directory as

Matsuzaki's broadcast message (name and address included in the message) and

name/address mapping directory. As both Matsuzaki and Matsubara relate to identifying

data terminals in a communications network, it would be further advantageous to modify

Matsubara's broadcast message to include Matsuzaki's name/address broadcast message

functionality to allow Matsubara's users to more specifically identify and address the

terminals in a communications network [see Matsuzaki column 1 «lines 39-48»].

Also, since Matsubara already discloses creating a directory based on information in the message, it would have been obvious to modify Matsubara's directory to include Matsuzaki's name/address directory creation functionality to allow terminals to further distinguish other terminals in the network.

8>   As to claim 2, Matsubara teaches a method wherein said given terminal and plural other terminals in said network define a group of terminals associated with an identifier, and said broadcast message includes said identifier so that only said plural other terminals decode said broadcast message to extract from it said name and said address of said given terminal (Figure 14, column 17, line 14 to column 18, line 12 and column 18, lines 57-62).

9>   As to claim 5, Matsubara teaches a method wherein said broadcasting step follows on automatically from said given terminal connected to said network (column 8, lines 47-54, column 9, lines 14-29, column 23, lines 53-56 and column 24, lines 21-45).

10>   Claim 3 is rejected under 35 U.S.C 103(a) as being unpatentable over Matsubara and Matsuzaki, in view of Caffarelli et al (hereinafter Caffarelli), U.S Patent No. 6,091,686.

11>   Matsubara does teach the construction of a directory in response to the broadcast message and the response message (column 7, lines 2-42) but does specifically disclose the use of a directory construction function field included in the messages.

12>   Caffarelli teaches a message that includes a directory construction function field

(column 11, lines 18-29). It would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Matsubara's message to include the directory

construction function field for the purposes of storing the information necessary to construct

the directory by the receiving terminal.

13>   Claim 4 is rejected under 35 U.S.C 103(a) as being unpatentable over Matsubara and

Matsuzaki, in view of Okanoue, U.S Patent No. 6,134,587, in further view of Tello et al, U.S

Patent No. 6.381.634 ["Tello"].

14>   Matsubara teaches the use of a local area network, sender terminal addresses and

broadcast and response messages (Figure 5, items Cs, C1, C2, C3 and abstract) but does not

teach a method wherein said address contained in said broadcast message or in said response

message includes at least an electronic mail address of said sender terminal.

15>   Okanoue teaches a method wherein said address contained in said broadcast message

or in said response message includes a sender terminal address conforming to the internet

protocol address of said sender terminal (column 10, lines 49-52 and column 12, lines 6-24). It

would have been obvious to one of ordinary skill in the art at the time the invention was

made to modify Matsubara's local area network, terminals and messages to conform to the

standards of internet protocol so the terminals can communicate with each other over the

internet.

It is well known in the art that IP addresses can represent an electronic mail address. For example, Tello discloses an IP header packet that includes an electronic mail address in the source IP address header [Figure 5 «item 622»]. It also would have been obvious to one of ordinary skill in the art to have reasonably inferred that Okanoue's IP address could be replaced with an electronic mail address as taught by Tello. One would have been motivated to perform such a replacement because electronic mail addresses are easier to read and understand by humans and therefore would allow a user to quickly identify the destination or source address of a terminal.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (571)272-3942. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

DC

ZARNI MAUNG

SUPERVISORY PATENT EXAMINER